

# Jackson Alliance

January 17, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20544

Dear Mr. Hundt:

This letter is in support of Ameritech's filing, under Section 271 of the Federal Telecommunications Act, to provide long distance service in Michigan.

~~The Jackson Alliance for Business Development is the private nonprofit organization~~ responsible for economic development for Jackson County. We have, in the past seven years, enjoyed the expansion of several international manufacturers to our county and more of these companies are also considering our area. They came here because of our physical location near their United States markets. However, we are experiencing additional expansions due to the availability of electronic communications via the telephone. Competition will keep the costs of these electronic links down and therefor increase our desirability as a location for future development.

Several entities within Jackson County are nearing the completion of a feasibility study which will link them via fiber optic cable. Ameritech has provide the opportunity for this connectivity by the installation of a fiber optic network throughout our county. The new communications network will result in the highest quality local service available. Ameritech should be allowed to provide this quality service beyond just the local usage through long distance service. Without the assurance of a quality service system we are at an unfair advantage to those areas that have completed systems for local and international communications.

We respectfully ask that Ameritech be allowed to provide the local and long distance service quality - necessary for our companies to communicate and therefor compete on a global scale. Ameritech has shown its commitment to our county through its investment of quality local communication service. They deserve the right to provide the same quality long distance service at competitive prices to the residents and businesses of our county. I encourage the Federal Communications Commission to review and support Ameritech's filing.

Sincerely,



Frank A. Pratt  
President



Hubert Price, Jr.  
Michigan  
House of Representatives  
13th District

WEST CHAMBER, BUILDING  
LANSING, MICHIGAN 48211  
OFFICE TELEPHONE

COMMITTEE  
ASSIGNMENT

January 16, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20544

Dear Chairman Hundt:

I am writing in support of the 271 Application submitted by Ameritech and its long distance subsidiary, ACI, to allow the companies to provide in-region long distance service to customers in the State of Michigan.

The Ameritech/ACI plan would unleash added benefits and enhanced customer service to consumers while at the same time opening its network to increased competition in the long distance marketplace. It is my understanding that Ameritech has met all of the requirements to open its network to competition in Michigan as required by both the federal and the Michigan Telecommunications Acts.

Increased competition spells better service for customers. I wholeheartedly support allowing Ameritech to provide long distance service, and trust that every consideration will be afforded Ameritech for consideration and approval of their 271 Application.

Thank you very much for your thoughtful consideration.

Sincerely,

HUBERT PRICE, JR.  
State Representative  
HPJ/tra

cc: Mr. Donald J. Russell, U.S. Department of Justice

HOUSE OF REPRESENTATIVES  
LANSING, MICHIGAN

54TH DISTRICT  
KIRK A. PROFF  
THE STATE CAPITOL  
LANSING, MICHIGAN 48913  
PHONE: (517) 373-1771

COMMITTEES:  
TAX POLICY, VICE CHAIR  
COMMERCE

January 15, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street N.W.  
Washington, D.C. 20544


Dear Chairman Hundt:

I am writing in support of Ameritech's petition for permission to enter into the long distance market. My experience with Ameritech has been very positive and I believe that their entrance into the long distance market will provide a much-needed choice for consumers. It also will allow for the opportunity of expanded service and better customer service and competition.

Michigan has been a forerunner in the telecommunications market and I firmly believe that the competition provided by Ameritech will ensure that Michigan continues to have a state-of-the-art communications infrastructure. Without such, Michigan cannot hope to retain or attract new businesses, thereby meeting consumer needs.

Again, I offer my strong support of Ameritech's petition to the Federal Communications Commission. Please let me know if I can provide additional information regarding such.

Sincerely,

  
KIRK A. PROFF  
State Representative  
54th District

KAP/la

cc: Donald J. Russell  
Telecommunications Task Force, Anti-Trust Division  
U.S. Department of Justice  
555 4th Street N.W., Room 8205  
Washington, D.C. 20001



37TH DISTRICT  
POST OFFICE BOX 30014  
LANSING, MICHIGAN 48909-7514

HOUSE OF REPRESENTATIVES  
STATE OF MICHIGAN

PHONE: (517) 373-1783  
HOME: (810) 476-3625

ANDREW RACZKOWSKI

January 23, 1997

The Honorable Reed Hundt, Chairman  
Federal Communication Commission  
1919 M Street, N.W.  
Washington, D.C. 20544

Gentlemen:

The purpose of this letter is to give my full personal support to the petition of Ameritech Michigan for the right to offer long distance service in Michigan.

While I was not a member of the Michigan Legislature when they passed the Telecommunications Act of 1995, I fully support their action in an attempt to bring more competition to the telecommunications marketplace. I am equally as confident that with Ameritech's approval to enter the long distance market, Michigan consumers will see true competition arise as prices become more competitive, services and innovations are expanded, and service to our Michigan customers become more responsive.

Ameritech has met all of the legal and regulatory requirements to open its network to competition and I believe this action would be in the public interest. I respectfully request that your grant approval to Ameritech Michigan's petition.

Sincerely,

Andrew E. Raczowski  
State Representative  
37th District

AER:mra

cc: Mr. Donald J. Russell

*Leadership & Entrepreneurial  
Training Company*  
2870-2 East General Motors Boulevard, Suite 700, Detroit, Michigan 48202  
(313) 873-0133

January 16, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20544

Dear Chairman Hundt:

An application is currently under review by the FCC filed by the Ameritech Corporation to provide in-region long distance services in Michigan. On behalf of the Leadership & Entrepreneurial Training Company, I ask that you expedite the review and approval of this request.

Ameritech's entry into this industry will have significant long term benefits for Michigan citizens. New jobs, lower prices and the ability to choose from a variety of communication providers are but some of these.

Ameritech should and must be given just consideration to compete in this market. I am not asking that Ameritech be given any unfair advantage, because its success or failure will be determined where it really counts - in the marketplace. However, I am urging you to ensure that the playing field is level. You can do this by allowing them to fairly compete with other long distance service providers.

Sincerely



W. R. Ross.  
President

cc. Mr. Donald J. Russell,  
Telecommunications Task Force

1/16/97



**Main Office**

5301 Michigan Ave.  
Detroit, MI 48210  
313 945-3340  
Fax 313 945-3347

The Honorable Reed Hundt, Chairman  
Federal Communications Committee  
1919 M Street, NW  
Washington, DC 20544

**Additional Office**

5825 Michigan Ave.  
Detroit, MI 48210  
313 945-3380  
Fax 313 945-1346

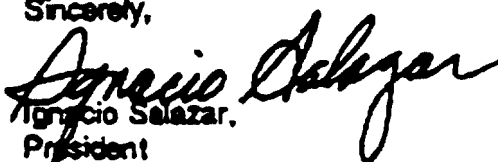
Dear Mr. Hundt:

I write today in support of Ameritech's application filing under Section 271 of the Federal Telecommunications Act of 1996 to provide in-region long distance service in Michigan.

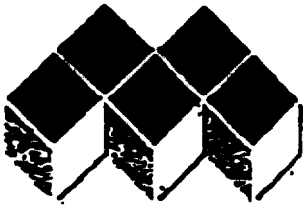
SER (Service Employment and Redevelopment) is a not-for-profit corporation of 25 years, in the business of moving unemployed residents toward self-sufficiency through gainful employment. As President, I am keenly aware of the influence that competition has on job creation, as well as on economic growth, community development, and service quality for all citizens. Ameritech's inclusion into the long distance industry will lead to increased competition. It will create jobs. It will stimulate the economy in our State.

On behalf of SER, our constituency, and the citizens of metropolitan Detroit, I thank you for your service, and urge you to act swiftly in approving Ameritech's application.

Sincerely,

  
Ignacio Salazar,  
President

cc: Mr. Donald J. Russell, Telecommunications Task Force



## CENTRAL MACOMB COUNTY CHAMBER OF COMMERCE

---

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---

January 15, 1997

The Honorable Reed Hunt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20544

Dear Mr. Hunt:

The purpose of this letter is to indicate my support of Ameritech's filing under Section 271 of the Federal Telecommunications Act of 1996 to provide long distance telephone service in the State of Michigan.

As a business organization, the Central Macomb County Chamber of Commerce is aware of how important communication services are to businesses. We strongly encourage a competitive market that would benefit businesses in our State. Such competition would mean choices of innovative services and competitive prices. The lack of competitive prices is indicated by a recent price increase by the major long distance carriers in this area. Competition would place the businesses and residents in the State in a better position.

This filing, then, is in the interest of our members and the community in general. Therefore, I strongly encourage the Federal Communications Commission to quickly review and give favorable consideration to approval thereof.

Sincerely,

Grace M. Shore  
President

cc: Mr. Donald I. Russell  
The U. S. Department of Justice  
Telecommunications Task Force Anti-Trust Division  
8205 535 4th Street NW  
Washington, D. C. 20001



9TH DISTRICT  
SAMUEL M. (BUZZ) THOMAS III  
HOUSE CAPTAIN  
LANSING, MICHIGAN 48912  
PHONE: (517) 373-1782

HOUSE OF REPRESENTATIVES  
LANSING, MICHIGAN

January 21, 1997

Mr. Donald J. Russell  
Telecommunications Task Force, Anti-Trust Division  
The U.S. Department of Justice  
Room #3205  
555 4th Street, N.W.  
Washington, D.C. 20544

Dear Mr. Russell:

As you know, on January 2, 1997, Ameritech filed a petition under Section 271 of the Federal Telecommunications Act of 1996 to provide in-region long distance service in Michigan. I write this letter in support of the Ameritech filing.

I believe that Ameritech has met all of the legal, regulatory, and technical requirements to open its network to competition in Michigan as required by both the Federal and Michigan Telecommunications Acts. This will provide true competition in local and long distance services in Michigan. As a result, the customer will be able to choose the carrier that provides the best services and consumer support. Furthermore, Ameritech has a significant presence in Michigan's labor market with over 30,000 current and retired employees.

In closing, approval of the petition will ensure that Michigan will continue to have a state-of-the-art communications infrastructure - an asset to a strong economy. As we move into the 21st Century, we need corporations that will ensure the continual growth of Michigan's economy. Ameritech is such a company. If you have any questions, please do not hesitate to call my office at (517) 373-1782.

Sincerely,

Samuel Thomas, III  
State Representative

SBT:dn



# Grendel-Wittbold Agency, Inc.

GENERAL INSURANCE AGENTS

12850 Eureka Road Southgate, Michigan 48195  
P.O. Box 1422  
(313) 284-4740 FAX (313) 284-5040

January 21, 1997

The Honorable Reed. Hundt, Chairman  
Federal Communications  
1919 M Street, NW  
Washington, D. C. 20544

Dear Mr. Hundt,

I have had the opportunity to read and discuss with one of Ameritech's employees the Ameritech filing under section 271 of the Federal Telecommunication Act of 1996.

When it is approved, this historic filing will provide greater competition in long distance, and the added choice for consumers that congress had in mind where the President signed the bill into law a year ago.

While others may argue against Ameritech's entry I truly believe it would be healthy competition.

I appreciate you taking time to read my letter, and hope it will persuade you to allow Ameritech to enter this competitive market.

Very Sincerely,

*Margaret L. Frank*  
President

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January 17, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20544

Dear Mr. Hundt:

This is to support the application of Ameritech to enter the long distance marketplace as defined by the Federal Telecommunications Act of 1996. While I do not propose to understand all of the details of the law, I know I speak for a wide majority of business school faculty in supporting steady deregulation and more competition.

There are times when regulation is necessary to protect weak competitors and/or manage monopolies. However, this does not appear to be the case in the long distance market. Three companies dominate, and with all the rhetoric and rate confusion, there does not appear to be price competition. Consequently, we believe there is a need for more creativity, innovation, and efficiency in the long distance market place. Moreover, Ameritech has shown a willingness to accept competition in its marketplace.

In implementing new policies and breaking new ground, as the Commission is doing, there is always an element of risk in change. However, in my view this is a relatively small risk and one well worth taking. The State of Michigan is ready for this type of change, and I respectfully urge you to approve the Ameritech application.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Emery C. Turner', written over a printed name and title.

ET:jbk

Seidman School of Business



# Wayne County Commission

JEWEL C. WARE  
Commissioner — District 4



Wayne County Building  
600 Randolph — Suite 614  
Detroit, Michigan 48226  
(313) 224-0916

January 16, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20544

Dear Chairman Hundt:

As a Commissioner of Wayne County, I am writing to urge your prompt attention to Ameritech's filing, under Section 271 of the Federal Telecommunications Act of 1996, to provide in-region long distance service in Michigan.

Allowing full competition for telecommunications services in our state would provide a tremendous boost to the economy in Wayne County. Ameritech Michigan's headquarters is housed in Detroit, the largest city in Wayne County. The company's decision to retain their presence in Michigan has afforded employment opportunities and innumerable benefits for our communities.

Your prompt approval would allow our citizens more choice in the selection of service providers as well as lower prices and more product offerings.

I appreciate your attention to this filing and anxiously await the tremendous benefits our citizens will realize through your favorable decision.

Sincerely,

A handwritten signature in cursive script that reads "Jewel C. Ware".

Jewel C. Ware  
Wayne County Commissioner  
4th District

cc: Mr. Donald J. Russell  
Telecommunications Task Force

JCN/tc



L. BROOKS PATTERSON, OAKLAND COUNTY EXECUTIVE

Richard E. Williams, Director

January 17, 1997

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20544

Dear Chairman Hundt:

I am writing you to express my support for Ameritech's Section 271 application which is now under review by your agency.

As the Director of Community and Minority Affairs for Oakland County, I work closely with many small and minority owned businesses. Many small business persons would welcome the opportunity to have increased competition because it will probably result in lower costs for services and products. In addition, as the local service provider, I would like for Ameritech to have the opportunity to offer long distance service to their customers.

I am proud of Ameritech's leadership in supporting full competition in the marketplace and see no reason why they should be prohibited from offering long distance service to the citizens of Michigan. Over the years, I have worked closely with Ameritech and believe they will remain committed to providing quality communication services. It is my understanding that they have met the regulatory requirements and Ameritech should be given the chance to compete in the long distance arena.

Sincerely,

Richard E. Williams, Director  
Oakland County Community & Minority Affairs

cc: Donald J. Russell, U.S. Department of Justice



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## Booker T. Washington Business Association

2885 East Grand Boulevard • Detroit, Michigan 48202 • Phone: 313-875-4250 • Fax: 313-875-4885

January 15, 1997

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The Honorable Paul Hunt  
Chairman

Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

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Paul A. Lee, Executive Director  
Orel Ann Bell, Administrative Assistant

Dear Mr. Hunt:

You and your colleagues are currently considering an application by Ameritech to offer long distance service in Michigan pursuant to Section 271 of the Telecommunications Act of 1996. As an association representing African American business owners, we would like to express our support of this application.

Ameritech has been and continues to be a strong supporter of minority owned businesses and organizations in Detroit and throughout the state, providing millions of dollars in contracts and support services. We firmly believe that granting Ameritech the opportunity to fully compete in the long distance industry will result in greater economic growth, more consumer choice, and overall opportunities for our members.

We encourage your support of this application for full and fair competition. Please ensure that Ameritech, having met the requirements of Section 271, be allowed to enter the long distance market. Our association is especially concerned that one of the state's largest employers with approximately 17,000 employees, be treated fairly and given an opportunity to compete by the same rules as others. Companies with a presence and a history of commitment to our community deserve our support.

Please weigh your decision carefully and do what's best for not only our membership but the citizens of our state.

Sincerely,

Booker T. Washington Business Association

Allen C. Young, M.S.T., C.P.A.  
Chairman of the Board

A/Y/cc

Enclosure



STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,  
to consider Ameritech Michigan's compliance  
with the competitive checklist in Section 271  
of the Telecommunications Act of 1996.

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Case No. U-11104

THE MICHIGAN CABLE TELECOMMUNICATIONS ASSOCIATION'S  
REPLY TO AMERITECH MICHIGAN'S  
SUPPLEMENTAL INFORMATION  
FILED ON JANUARY 16, 1997

2

JAN 30 1997

COMMISSION

Fraser Trebilcock Davis & Foster, P.C.  
Attorneys for Michigan Cable  
Telecommunications Association

David E.S. Marvin (P26564)

Michael S. Ashton (P40474)

Business address:

1000 Michigan National Tower  
Lansing, MI 48933  
(517) 482-5800

Date: January 30, 1997

FRASER  
TREBILCOCK  
DAVIS &  
FOSTER, P.C.  
LAWYERS  
LANSING,  
MICHIGAN  
48933

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## I. INTRODUCTION

The Michigan Cable Telecommunications Association ("MCTA") files this brief reply to the Supplemental Information filed by Ameritech Michigan on January 16, 1997. In its reply, MCTA will not attempt to respond to each and every argument which Ameritech Michigan raised in an effort to obfuscate the record in this case. The purpose of this reply is simply to demonstrate beyond dispute that Ameritech Michigan is not in compliance with the competitive checklist because it has failed to provide access to its poles at just and reasonable rates as required by Section 271(c)(2)(B)(iii) of the Communications Act of 1934, as amended, being 47 USC § 271(c)(2)(B)(iii).

While Ameritech Michigan's original filing in this docket summarily asserted that Ameritech had "followed the FCC pricing methodologies based on Section 224(d) and the FCC rules and formulas found in Docket No. 86-212 dated July 23, 1987 (poles),"<sup>1</sup> Ameritech Michigan has failed to provide any evidence to support its claim. Indeed, Ameritech had not even submitted a workpaper showing how it calculated its \$1.97 rate. By contrast, MCTA has submitted a workpaper which correctly utilizes the applicable methodology and establishes a maximum allowable pole rate of \$1.20. With respect to MCTA's workpaper, Ameritech Michigan offers not one single substantive criticism, whatsoever. In addition, Ameritech Michigan does not even attempt to refute the fact that in imposing its \$1.97 pole rate, Ameritech Michigan is seeking to recover from attaching parties the pole rents which Ameritech Michigan pays to attach its own wires to the poles owned by other utilities! Finally, rather than admit that it is improper to continue to dun

FRASER  
TREBILCOCK  
DAVIS &  
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LAWYERS  
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48933

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<sup>1</sup>Ameritech Michigan's Attachment B, MPSC Case No. U-11104, filed December 16, 1996, at p 15.

attaching parties at a \$2.88 rate which the MPSC rejected and which Ameritech Michigan itself withdrew, Ameritech Michigan makes a veiled threat to impose an even more excessive rate because of the complaint made in this proceeding to the Commission.

**II. AMERITECH MICHIGAN IS NOT PROVIDING ACCESS TO ITS POLES AT JUST AND REASONABLE RATES**

**A. Ameritech Michigan Concedes That The FCC Pricing Methodology Is The Appropriate Methodology To Determine Its Compliance With The Competitive Checklist**

As set forth in greater detail in MCTA's January 9, 1997 filing in this case, the FCC pricing methodology has been adopted by Section 361 of the Michigan Telecommunications Act, being MCL 484.2361; MSA 22.1469(361). Thus, Ameritech is required to set its pole rate based on this methodology in order to be in compliance with the competitive checklist.

Ameritech Michigan has conceded that the FCC pricing methodology is the appropriate pricing methodology to determine its compliance with the competitive checklist. In response to a Commission question regarding the pricing methodology and prices for access to poles, ducts, conduits, and rights-of-way, Ameritech Michigan stated:

"c. What are the pricing methodology and prices for access to poles, ducts, conduits, and rights of way? Be specific.

**RESPONSE**

Ameritech Michigan has applied the FCC's pricing methodologies based on Section 224(d) and the FCC's rules and formulas found in Docket No. 86-212 dated July 23, 1987 (poles) and Docket No. 96-181, dated September 3, 1996 (conduit). Pricing under the FCC methodology is included in Ameritech Michigan's filed tariff." (Ameritech Michigan's Response to Attachment B, MPSC Case No. U-11104, December 16, 1996, at p 15.)

Thus, there is no dispute regarding the methodology which should be utilized to calculate Ameritech's pole attachment rate.

**B. Ameritech Has Failed To Produce Any Workpaper To Support Its \$1.97 Rate**

Ameritech Michigan has made numerous and lengthy filings with the Commission in this case, including its filings on December 16, 1996 and January 16, 1997. Despite those voluminous filings, Ameritech Michigan has failed to produce any workpaper to explain or support its \$1.97 pole rate. The apparent reason why Ameritech Michigan has been unwilling to file a workpaper is because its rate was not correctly calculated in conformance with the applicable methodology.

**C. Ameritech Michigan Offers No Criticism Of MCTA's Workpaper Which Establishes A Maximum Allowable Pole Rate Of \$1.20**

In its January 9, 1997 filing, MCTA set forth in precise detail an analysis of the maximum allowable pole rate for Ameritech Michigan. This analysis established that, based on Ameritech's publicly filed cost data, the maximum allowable pole rate was \$1.20 per pole per year. Despite its best efforts to obfuscate the record in its supplemental filing on January 16, 1997, Ameritech Michigan offers not one substantive criticism of the manner in which MCTA applied the pole rate methodology which Ameritech Michigan, itself, conceded was appropriate.

**D. Ameritech Michigan Seeks To Impose A Pole Rate Which Includes Ameritech Michigan's Pole Rent Paid To Attach Its Wires To Poles Owned By Other Utilities**

In fact, Ameritech Michigan does not even dispute the fact set forth in MCTA's January 9, 1997 filing that the primary difference between Ameritech Michigan's pole rate of \$1.97 and MCTA's calculation of a maximum allowable pole rate of \$1.20 is that

Ameritech Michigan is seeking recovery of pole rentals which Ameritech Michigan pays to attach its own wires to the poles owned by other utilities! While never submitted as part of the record in this case, just days before MCTA's filing was due, Ameritech Michigan did provide MCTA with a workpaper dated September 26, 1996. That workpaper demonstrated that as part of its pole rate Ameritech Michigan was seeking to recover the pole rentals which Ameritech pays to attach its own wires to poles owned by other utilities. The inclusion of these costs not only defies common sense, but it directly violates the FCC methodology adopted by the MTA. (See, Letter from Kenneth Moran, FCC Common Carrier Bureau Accounting & Audits to Paul Glist, June 22, 1990, 5 FCC Rcd 3898 (1990); UACC Midwest, Inc. d/b/a United Artists Cable Mississippi Gulf Coast v South Central Bell Telephone Company, PA 91-0005 through PA 91-0009, DA 95-1363 (Common Carrier Bureau) (June 15, 1995).) In its supplemental filing dated January 16, 1997, Ameritech Michigan does not even attempt to deny this fact.

**E. Ameritech Michigan Does Not Dispute That It Duns Attaching Parties Based On Excessive Rates**

Ameritech Michigan does not dispute that it is sending dunning notices to parties which attach to its poles and is seeking to recover a \$2.88 pole rate, based on a tariff which was rejected by the MPSC Staff and withdrawn by Ameritech itself. Moreover, Ameritech Michigan tacitly admitted that this proposed rate was excessive, when it subsequently filed a \$1.97 pole rate. Rather than acknowledge its error and offer to rectify its erroneous collection activities, Ameritech Michigan makes a veiled threat to impose a \$4.95 per pole/per year rate on attaching parties. (See, Appendix A, p 3 of Ameritech Michigan's Supplemental Information filing, January 16, 1997.) Thus, Ameritech Michigan's solution for its failure to provide access to its poles at just and reasonable rates is to threaten those

who raised the issue with the Commission with an even more onerous and unsupported rate. Ameritech's threat is hollow, however, because, effective November 30, 1995, the Michigan Telecommunications Act made it illegal for Ameritech to change any pole rate that was not calculated in accordance with the FCC methodology adopted in §361 of the Act.

**F. Ameritech's Pole Rate Is Unjust And Unreasonable Because It Violates Michigan Law**

Ameritech claims that its proposed pole rate of \$1.97 is just and reasonable because it is lower than its previous MPSC-approved pole rate. What Ameritech conveniently ignores is that its pole rate is now subject to a different statutory standard which was recently adopted in Section 361 of the MTA. Unless and until Ameritech complies with the legal requirements mandated by this statute, its pole rates are inherently invalid, unjust and unreasonable. See, Northern Michigan Land & Oil Co v PSC, 211 Mich App 424; 536 NW2d 259 (1995).

**III. CONCLUSION**

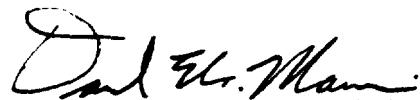
Despite its efforts to obfuscate the record with its January 16, 1997 filing, Ameritech Michigan has failed to refute any of the evidence presented by MCTA which clearly establishes that Ameritech Michigan is not providing access to its poles at just and reasonable rates. Conceding that the FCC formula is the appropriate pricing methodology for its pole rate, Ameritech Michigan has never presented on the record in this case any workpaper to demonstrate that its \$1.97 rate was properly calculated under that methodology. In fact, Ameritech Michigan offers not a single substantive criticism to MCTA's calculation showing that Ameritech Michigan's maximum allowable pole attachment rate is \$1.20. Further, Ameritech Michigan does not dispute that in calculating its \$1.97 rate, it included the pole

rents that it pays for attaching its own wires to the poles owned by other utilities. Finally, Ameritech Michigan does not dispute that it continues to send dunning notices to attaching parties seeking to collect a clearly excessive rate of \$2.88, based on an old tariff proposal which was rejected by the MPSC Staff and which Ameritech Michigan itself withdrew and replaced with a lower tariff rate.

Despite Ameritech Michigan's extensive filings regarding other issues in this case, it has offered no evidence whatsoever to satisfy the third item of the competitive checklist which requires access to poles at just and reasonable rates.

Respectfully submitted,

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Date: January 30, 1997

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**Craig A. Anderson**  
Counsel

**January 31, 1997**

**Ms. Dorothy Wideman  
Executive Secretary  
Michigan Public Service Commission  
P.O. Box 30221  
Lansing, MI 48909**

***Re: MPSC Case No. U-11104.***

**Dear Ms. Wideman:**

**Enclosed for filing in the above-referenced case is an original and fifteen copies of Ameritech Michigan's Reply to Brooks Fiber's Second Submission of Information.**

**Very truly yours,**

*Craig A. Anderson (ls)*

**Enclosure**

**cc: All Parties of Record**

**CAA:jkt**



STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion, )  
to consider Ameritech Michigan's compliance ) Case No. U-11104  
with the competitive checklist in Section 271 ) FILED  
of the Telecommunications Act of 1996. )

JAN 31 1997

**AMERITECH MICHIGAN'S REPLY TO BROOKS FIBER'S  
SECOND SUBMISSION OF INFORMATION**

Ameritech Michigan<sup>1</sup> submits the following additional information regarding matters addressed in the letter from Brooks Fiber Communications (Brooks Fiber) dated January 17, 1997 to the Michigan Public Service Commission, which was received by Ameritech Michigan on January 23, 1997.

Ameritech Michigan has contacted Brooks Fiber to address the business and operational issues raised in their letter to the Commission. The purpose of this filing is to advise the Commission of Ameritech Michigan's positions and proposed course of action regarding the allegations raised by Brooks Fiber. Ameritech Michigan's commitment is to work cooperatively with Brooks Fiber under the framework and procedures of our approved interconnection agreement and all applicable laws and regulations to resolve each and every concern.

Brooks Fiber's most recent submission is, in large part, a reiteration of the same issues raised in its previous filing in this docket of a letter to the U.S. Department of Justice. Ameritech Michigan has already responded to many of

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<sup>1</sup>Michigan Bell Telephone Company, a Michigan corporation, is a wholly owned subsidiary of Ameritech Corporation, which owns the former Bell operating companies in the states of Michigan, Illinois, Wisconsin, Indiana, and Ohio. Michigan Bell offers telecommunications services and operates under the names "Ameritech" and "Ameritech Michigan" (used interchangeably herein), pursuant to assumed name filings with the state of Michigan.